

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSUE ROBLES BERMUDEZ,

Petitioner,

v.

GARY RODEN,

Respondent.

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Civil Action No. 14-cv-10257-IT

ORDER

October 14, 2014

TALWANI, D.J.

On June 30, 2014, the court issued a scheduling order in this case [#14], directing Petitioner to file a memorandum in support of his petition by August 18, 2014 and Respondent to file a memorandum in opposition by October 2, 2014. On September 9, 2014, Respondent filed a Motion to Dismiss Petition for Lack of Prosecution [15], requesting the court to dismiss the petition for lack of prosecution due to Petitioner's failure to file a memorandum in support or seek an extension of time to file one.

On September 23, 2014, Petitioner filed his memorandum in support, in which he informed the court that his mail had been arriving late because of a change of address. In light of Petitioner's filing his memorandum and change of address, the court hereby DENIES Respondent's motion to dismiss for lack of prosecution and directs Respondent to file an opposition by no later than November 14, 2014.

IT IS SO ORDERED.

/s/ Indira Talwani
United States District Judge